

108TH CONGRESS
1ST SESSION

S. 1445

To provide criminal penalties for false personation of a military officer for purposes of harassing military families and to clarify the false personation statute with respect to officers and employees of the United States.

IN THE SENATE OF THE UNITED STATES

JULY 23 (legislative day, JULY 21), 2003

Mr. GRAHAM of South Carolina (for himself, Mr. SCHUMER, Mr. CORNYN, and Mr. HATCH) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To provide criminal penalties for false personation of a military officer for purposes of harassing military families and to clarify the false personation statute with respect to officers and employees of the United States.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. OFFENSE AND CLARIFICATION.**

4 (a) NEW OFFENSE.—

5 (1) IN GENERAL.—Chapter 43 of title 18,
6 United States Code, is amended by inserting after
7 section 912 the following:

1 **“§ 912A. False personation of a United States officer**
 2 **or employee to harass military families**

3 “Whoever—

4 “(1) falsely assumes or pretends to be an offi-
 5 cer or employee acting under the authority or law of
 6 the United States or any department, agency, or of-
 7 ficer thereof;

8 “(2) acts as described in paragraph (1); and

9 “(3) in such pretended character acts with the
 10 intent to harass, alarm, shock, terrify, or cause men-
 11 tal distress to another person regarding the military
 12 status of such person’s relative;

13 shall be fined under this title, imprisoned not more than
 14 5 years, or both.”.

15 (2) CHAPTER ANALYSIS.—The chapter analysis
 16 for chapter 43 of title 18, United States Code, is
 17 amended by inserting after the item for section 912
 18 the following:

“912A. False personation of a United States officer or employee to harass mili-
 tary families.”.

19 (b) CLARIFICATION.—Section 912 of title 18, United
 20 States Code, is amended to read as follows:

21 **“§ 912. Officer or employee of the United States**

22 “Whoever—

23 “(1) falsely assumes or pretends to be an offi-
 24 cer or employee acting under the authority of the

1 United States or any department, agency, or officer
2 thereof;

3 “(2) acts as described in paragraph (1); and

4 “(3) demands or obtains any money, paper,
5 document, or thing of value;

6 shall be fined under this title, imprisoned not more than
7 3 years, or both.”.

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